17: Southall E-5 (1946-1947) 1952 FL11 Luo FL11

...lone as titular owner of the whole herd. The scheme of division may be represented as in the diagram below. All other livestock is divided in the same way. The eldest son of the first wife must marry before any other sons can do so, and if the first wife has no sons the next must wait till there is no further chance of her bearing any. When the first wife dies, the second wife becomes chief wife of the homestead, but a first wife's full status can only be succeeded to when she is replaced by a sister and a new homestead is built. The property of a barren wife is inherited by a stepson who is adopted into her household to do the man's work in it.

CATTLE HERD

All herded together

Head of homestead titular owner of all

Cattle of the wife	*Cattle of the sons' houses*
Entire property of homestead head.	Share in subject, more in question, one among one owner.
Used to help sons to brothers' sons to marry, or to marry sons' wives for homestead head. Number ultimately inherited by the youngest son of the homestead, who also takes the father's share of cattle from any subsequent marriages of sisters. All derived from the cattle and bull taken by the father at every daughter's marriage, and from their increase. Milk from these used by the homestead head.	1. Cattle entirely property of the wives. Ultimately inherited by youngest son of each house. All derived from the cattle and bull received by the mother at each daughter's marriage, and from the cattle of cattle and bull settled upon a wife by her father at the end of her marriage ceremonies. Milk from these used by the wives.
	2. Cattle held for sons' marriages. Any number inherited by youngest son of each house. All derived from the cattle received as 'daughters' marriages when these three years had ended ; and a

Homestead head has over all dispositions in the original division of incoming cattle, and can persuade wives to give up cattle from marriages ; to help stepsons to marry, and may by agreement take an extra heifer from those received at a daughter's marriage, to complete the bridewealth of one of his sister-wives.

Succession to authority in the family, and also in the lineage, depends on a combination of three qualifications : primogeniture, personal suitability in character and wealth, and appointment by one's predecessor. Primogeniture is highly regarded and jealously, but is never an absolute rule. Whenever an eldest son is unsuitable, or another agnatic relative is clearly more suitable, the latter is chosen to succeed. But a successor must be named by his predecessor, and as a result of the strong common sentiments in family and lineage segments, the predecessor's appointment seems usually to have been the one whom the elders of the group with to elect when they meet at the funeral of the predecessor to confirm his choice.

Ancestor worship is falling into disrepute among the Luo of today. All those who go to school become at least nominal Christians, and this affects most of the young, while the old are becoming diffident in the performance of rites which no longer command universal respect. The spirit shrines which used to be placed between the first and second wives' huts are hardly seen today, nor the three stones which used to stand before the spirit shrine, with the stone of sacrifice buried beneath (see

19:Wilson E-5 (ca. 1950) 1960
FL11 Luo FL11

avoid the immediate consequences and as a result war broke out between the people of Sema and the people of his tribe, Ugenya. After many years of intermittent and bitter warfare the elders of both tribes met to settle the dispute. Their solution was as follows: because the elder who lost his son did not have an unmarried son to take a woman of the killer's clan, and because the killer's minimal lineage did not have a suitable daughter to give in marriage, it was decided that the killer should marry the daughter of the deceased's father, and through her raise seed to the dead man. The killer, contrary to custom but as part of the settlement, was forced to live at the home of his bride and was subsequently adopted into the clan of the deceased. It is interesting, however, that the eponym of the clan which today traces descent from this couple is the bride, Kia, and not the killer or the deceased. It is, to my knowledge, the only clan in Luo which has a woman as an eponym, but then she was apparently regarded as a male by her contemporaries.

This background was given to provide the reader with some idea of the Jokes attitude to homicide. Deeply ingrained in the notion that life goes on after death on earth—that ancestors in the spirit world are able to influence the lives, conduct, fortunes, for good or evil, of their descendants. Ghosts are more likely to be benevolent if they can count numerous descendants on earth and extremely malevolent if life on earth was cut short by violence or unnatural death by war, accident, or suicide. The ghosts of the latter are believed to be more difficult to deal with than those of ordinary spirits of old men or women. The more descendants a ghost has, the higher its status in the afterworld, and therefore the greater its pleasure and benevolence.

The Jokes had developed several devices to deal with cases of homicide. A wife could be married in the name of a murdered youth to raise seed to his name, to placate his spirit and to continue his line for posterity. A young adolescent woman who died was delivered by a stranger (*jokwaya*)

19:Wilson E-5 (ca. 1950) 1960
FL11 Luo FL11

and the Accused was sentenced to three years' hard labor. The sequel to the case is that the wife was repentant and returned to the village of her husband and was there to welcome him on his return from prison.

Polygamy is the desired goal in marriage in Luo society. The word for co-wife in the Luo language is *nyieko*, which also means jealousy of an intense kind. The jealousy between co-wives occasionally ends in quarrels which result in the murder of one or the other.

Case No. 5.

A quarrel developed between the senior and most junior wife, when the latter accused the former of trying to poison her child. The child was an adopted child, being a child of the deceased second wife of their common husband. When a woman dies, it is customary for the husband to decide which of his wives should act as foster mother to her children. This quarrel began because the senior wife had demanded custody of the child but the husband decided to place the child in the care of the junior wife, who had no son. The argument went on for years. The child became ill and the junior wife was convinced that he was poisoned by the senior wife. A quarrel developed and the junior wife, who had just returned from the fields with a panga in her hands, struck the senior wife, killing her instantly.

Again the court decided that this was a case of manslaughter, and the accused was sentenced to two years' hard labor.

The Joko people have a custom at marriages of "pulling the girl" to the village of the groom. Traditionally, the brothers and friends of the girl should resist this "capture." In fact, however, the marriage has been arranged by them and both parties are fully aware that this is a mock battle. On occasion these fights become a spirited and serious "free for all." From time to time, therefore, one or more of the party is seriously